AMENDMENTS TO THE CLAIMS

1. (Currently Amended) A method of metering digital content having a message to be presented to ~~a plurality of~~ users of a communications network, said method comprising ~~the steps of~~:

embedding a code in said message;

detecting the embedded code; and

based on the detected embedded code, counting the number of times the message is presented to <u>a user</u> ~~one of the users~~ of the communications network.

2. (Original) The method of claim 1, wherein the communications network includes the Internet.

3. (Currently Amended) The method of claim 2, wherein the message is presented in an image format to be implemented as a stream of image data contained in a network data stream and the code is embedded in the image data, said method further comprising: ~~the step of~~

monitoring the network data stream ~~in order~~ to detect the embedded code.

4. (Original) The method of claim 1, wherein the code is embedded in a steganographic fashion.

5. (Currently Amended) The method of claim 1, wherein the <u>message</u>~~digital content~~ is presented by a server, and wherein the embedded code contains a client identity <u>associated with</u> ~~so as to allow the server to identify the client who should pay for~~ the digital content.

6. (Currently Amended) The method of claim 1, wherein the embedded code contains a rate code for calculating a charge to a client for presenting the message in the digital content, said method further comprising<u>:</u>

~~the step of~~ calculating the charge based on the counted number of times and the rate code.

7. (Original) The method of claim 6, wherein the rate code includes a fixed rate.

8. (Currently Amended)   The method of claim 6, wherein the rate code includes a variable rate based on the time and/or date of presenting the message to _a user_ ~~the users~~.

9. (Original) The method of claim 6, wherein the message is presented as an image on a display screen, and the image has a size relative to the display screen, and wherein the rate code contains a charge rate based on the image size.

10. (Original) The method of claim 6, wherein the communications network includes a plurality of destination domains, and wherein the rate code contains a charge rate based on the destination domain.

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11. (Currently Amended)   The method of claim 1, wherein the _message is_ ~~digital content is indicative of~~ an advertisement.

12. (Currently Amended)   A device for metering digital content having a message in the form of a data stream to be presented to ~~a user~~ _users_ of a communications network, ~~wherein~~ the message _including an_ ~~is~~ embedded ~~with a~~ code ~~for indicating that the message is actually presented to the user~~, said device comprising:

   means for detecting the embedded code; and

   means for counting the number of times the message is ~~actually~~ presented to ~~the~~ _a_ user based on the detected embedded code.

13. (Currently Amended) The device of claim 12, further comprising:

means for calculating a charge to a client for presenting the message ~~to the user~~ based on the counted number of times <u>the message is presented to a user</u>.

14. (Currently Amended)   The device of claim 13, further comprising:

means for identifying the client based on the detected embedded code in order to debit <u>from</u> the client a monetary amount representative of the charge.

15. (Currently Amended)   The device of claim 12, wherein the <u>message is</u> ~~digital content is indicative of~~ an advertisement.

16. (Original) The device of claim 12, wherein the communications network includes the Internet and the message is incorporated in a network data stream of the Internet to be presented by a host web service, and wherein the detecting means is operatively connected to the host web service to monitor the network data so as to allow the detecting means to detect the embedded code.

17. (Currently Amended)   A ~~An digital content~~ metering system for ~~to be implemented on~~ a communications network having network data, <u>the metering system adapted</u> ~~in order~~ to count the number of times a message included in ~~the~~ digital content is presented to ~~a user~~ <u>users</u> of the communications network, ~~wherein~~ the message <u>being</u>~~is~~ contained in the network data in the form of a data stream embedded with a code, ~~and~~ the data stream <u>being</u> ~~is~~ conveyed to the network by a conveying means, said system comprising:

means, operatively connected to the conveying means, for monitoring the data stream in order to detect the embedded code; and

means, operatively connected to the monitoring means, for counting number of presentations based on the detected embedded code.

18. (Currently Amended)   The metering system of claim 17, wherein the <u>message is</u> ~~digital content is indicative of~~ an advertisement.

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19. (Original) The metering system of claim 17, further comprising a challenge-response mechanism, connected to the network independently of the web server, for causing the counting means to pause when the monitoring means is operatively disconnected from the conveying means.

20. (Original) The system of claim 17, further comprising a mechanism, remote from the monitoring means, for sending an authentication message to the monitoring means on a fixed time basis, and wherein the monitoring means is adapted to disable the counting means when the monitoring means does not receive the authentication message on the fixed time basis.

21. (Original) The system of claim 18, further comprising a mechanism for metering a click-through process, wherein the user clicks on the message to learn more about the advertisement.

22. (Currently Amended)   A method An algorithm for metering digital content being presented to users of a communication network, the digital content being having a message contained in a network data stream and including a message in order to present the message to a user of a communications network, wherein the message is embedded with a code so as to allow a the number of times the message is presented to a the user to be counted, said method comprising algorithm including the steps of:

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monitoring the network data stream in order to detect data representative of the embedded code;

recording a number of times the data representative of the embedded code is detected, the number of times the data representative of the embedded code is detected being the amount of detected data indicative of the actual presentation of the message to a the user; and

calculating a charge for presenting the message based on the number of times the data representative of the embedded code is detected according to the amount of detected data.

23. (Currently Amended)   The <u>method</u> <s>algorithm</s> of claim 22, wherein the digital content <s>is indicative of</s> <u>includes</u> an advertisement and the charge for presenting the message includes an advertisement charge.

24. (Currently Amended)   The <u>method</u> <s>algorithm</s> of claim 23, further comprising <s>the step of</s>:

    determining a rate for charging a client based on the embedded code so as to calculate the advertisement charge.

25. (Currently Amended)   The <u>method</u> <s>algorithm</s> of claim 23, further comprising <s>the step of</s>:

    debiting a client a monetary amount based on the calculated advertisement charge.

26. (Currently Amended)   The <u>method</u> <s>algorithm</s> of claim 23, further comprising <s>the step of</s>:

    looking up client information in order to determine the charge rate.

27. (New) A method of metering digital content having a message to be presented to users of a communications network, said method comprising:

    embedding a code in said message;

    detecting the embedded code;

    based on the detected embedded code, counting the number of times the message is presented to a user of the communications network; and

    calculating a charge based on the number of times the message is presented to a user.

28. (New)   The method of claim 27, wherein the communications network includes the Internet.

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29. (New)   The method of claim 28, wherein the message is presented in an image format to be implemented as a stream of image data contained in a network data stream and the code is embedded in the image data, said method further comprising:

monitoring the network data stream to detect the embedded code.

30. (New)   The method of claim 27, wherein the code is embedded in a steganographic fashion.

31. (New)   The method of claim 27, wherein the message is presented by a server, and wherein the embedded code contains a client identity associated with a client responsible for paying the calculated charge for presenting the message in the digital content.

32. (New)   The method of claim 27, wherein the embedded code contains a rate code for calculating the charge for presenting the message in the digital content, said method further comprising:

calculating the charge based on the counted number of times and the rate code.

33. (New)   The method of claim 32, wherein the rate code includes a fixed rate.

34. (New)   The method of claim 33, wherein the rate code includes a variable rate based on the time and/or date of presenting the message to a user.

35. (New)   The method of claim 32, wherein the message is presented as an image on a display screen, and the image has a size relative to the display screen, and wherein the rate code contains a charge rate based on the image size.

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36. (New)   The method of claim 32, wherein the communications network includes a plurality of destination domains, and wherein the rate code contains a charge rate based on the destination domain.

37. (New)   The method of claim 27, wherein the message is an advertisement.

38. (New) A metering system for a communications network having network data, the metering system adapted to count the number of times a message included in digital content is presented to users of the communications network, the message being contained in the network data in the form of a data stream embedded with a code, the data stream being conveyed to the network by a conveying means, said system comprising:

means, operatively connected to the conveying means, for monitoring the data stream in order to detect the embedded code; and

means, operatively connected to the monitoring means, for counting number of presentations based on the detected embedded code; and

means for calculating a charge based on the counted number of presentations.

39. (New)   The metering system of claim 38, wherein the message is an advertisement.

40. (New)   The metering system of claim 38, further comprising a challenge-response mechanism, connected to the network independently of the web server, for causing the counting means to pause when the monitoring means is operatively disconnected from the conveying means.

41. (New)   The system of claim 38, further comprising a mechanism, remote from the monitoring means, for sending an authentication message to the monitoring means on a fixed time basis, and wherein the monitoring means is

adapted to disable the counting means when the monitoring means does not receive the authentication message on the fixed time basis.